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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/745,120	12/21/2000	Chikara Uratani	36856.422	9930

7590 12/02/2003
KEATING & BENNETT LLP
Suite 312
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Fairfax, VA 22030

EXAMINER

GILMAN, ALEXANDER

ART UNIT	PAPER NUMBER
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2833

DATE MAILED: 12/02/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/745,120

Applicant(s)

URATANI ET AL.

Examiner

Alexander Gilman

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WW

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 September 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 17, 18
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

Claim Rejections - 35 USC § 103

1. Claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kuriyama et al. With regard to claims 1-3, 11, and 14, Kuriyama et al (US Pat. No. 6,068,499) disclose an electronic component comprising:

an insulative case (2) made of resin, including a lower case portion and upper case portion;

a plurality of surface-mounting terminals (12, 11) mounted on said insulative case;

at least one notch provided in said insulative case to accommodate a lead portion of at least one of surface-mounting terminals; and

said notch defining a clearance (Fig. 2,) between the solder fillet portion of (11, 12) and lower-side insulative case (2b).

With regard to claims 21 and 22, Kuriyama et al disclose a notch defining a clearance in a first direction Kuriyama et al do not disclose that the notch is extending entirely through the lower case portion in the second (thickness) direction so that the L-shaped lead portion of the terminal does not contact any part of the lower case.

The above mentioned limitation is not patentably significant since they relate to the size of the article under consideration which is not ordinarily a matter of invention. In re Yount, 36 C.C.P.A. (Patents) 775, 171 F.2d 317, 80 USPQ 141.

If it is necessary (for instance, when the initial size of the notch is not sufficient for antiwicking) it would be obvious to extend the Kuriyama et al notch in the vertical direction so that the L-shaped lead portion of the terminal does not contact any part of the lower case.

With regard to claims 12, 13, and 18, Kuriyama et al disclose all of the limitations as applied to claims 1-3, plus a surface-mounting external terminal (40).

With regard to claims 4-6, 15, and 16, Kuriyama et al disclose the two portions (2a, 2b) of the insulative case, plurality of terminals (4, 5) and a groove (8, 9) which is substantially V-shaped.

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With regard to claims 7-10, and 17, Kuriyama et al disclose the first notch and the second notch receiving lead portions respectively of the movable (5) and fixed (4) terminals.

With regard to claims 19 and 20, Kuriyama et al disclose a communication device (col. 1, lines 15-17) comprising a coaxial connector (Fig. 7a; col. 1, line 6).

Response to Arguments

Applicant's arguments filed 09/17/2003 have been fully considered but they are not persuasive.

Applicants argue that the terminals of Kuriyama et al are in contact with the lower portion of insulating case 2.

However, Kuriama et al, in Fig. 1, present "a sectional view illustrative of the structure" (col. 4, lines 18-20). According to MPEP § 2125, proportions of features in a drawing are not evidence of actual proportions when drawings are not to scale. Moreover, the perspective view illustrative of the whole coaxial receptacle Fig. 2 clearly demonstrates a notch. Inherently, problem of wicking in Kuriama et al-type devices exists. Only known way to prevent wicking is providing some reasonable space between the housing and the terminal. Hence, for normal soldering and functioning the Kuriama et al connector the notch in Fig. 2 is necessary.

Also, Applicants recite the fragment from Kuriama et al (col. 5, line 62 to col. 6line 3) to prove that the terminals do contact the portions of the lower portion of the housing.

However, the phrase "terminal 4 (5) extends along the outer surface of the side wall 2a(2b) does not support this argument.

Also Applicants argue that the modification of the notch is not just change in its size since, in that case the terminals 4 and 5 would be longer supported by portion of the case above the notch.

However, the terminals 4 and 5 do not rely on the portion of the case above the notch for being frictionally supported. According to Kuriama et al the stoppers 10 are used for locking the terminals in the housing.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexander Gilman whose telephone number is (703) 305-0847. The examiner can normally be reached on Monday-Friday, 10:30 a.m. - 8:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on (703) 308-2319. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4900.

Alex Gilman
11/26/03

**ALEXANDER GILMAN
PRIMARY EXAMINER**